

# **SHINDER DECLARATION EXHIBIT 3**



## **WASHINGTON D.C.**

T: [202.204.3500](tel:202.204.3500)

F: 202.204.3501

[dgolden@constantinecannon.com](mailto:dgolden@constantinecannon.com)

Direct Dial [202.204.4527](tel:202.204.4527)

### **PRACTICE GROUPS**

[Antitrust Litigation & Counseling](#)

[Commercial Litigation](#)

[Government Affairs](#)

### **ADMISSIONS**

District of Columbia

Maryland

## David Golden

David Golden is a partner in the Washington, D.C. office of Constantine Cannon. His practice focuses on antitrust litigation and counseling, especially in high-technology industries. He has represented both plaintiffs and defendants in various areas of antitrust law, including price fixing, tying, bundling, monopolization, and merger analyses. He has advised clients in a number of different sectors, including consumer electronics, digital platforms, online advertising, software licensing, electronic payments, electronic media, mobile telecommunications, and solar energy. Mr. Golden also represents clients before government agencies, including criminal antitrust investigations, statutory ratemaking proceedings, and in policy advocacy efforts, and in commercial arbitrations.

Notable cases and proceedings include:

- *Alliance of Artists and Recording Companies v. General Motors, et al.*, 306 F. Supp. 3d 422 (D.D.C. 2018), representing automotive infotainment system manufacturer in litigation under Audio Home Recording Act of 1992;
- *In Re Payment Card Interchange Fee Litigation*, MDL No. 1720 (E.D.N.Y.), representing 60 corporations in credit and debit swipe fee antitrust litigation against Visa, Mastercard, and several issuing banks;
- *TruePosition, Inc. v. LM Ericsson, et al.*, Case No. 11-4574 (E.D. Pa.), represented mobile telecommunications technology manufacturer in antitrust suit alleging conspiracy and monopolization against major telecommunications suppliers and two standards setting organizations;
- *American Trucking Associations v. City of Los Angeles, et al.* (C.D. Cal. and 9th Cir. 2009-2011), represented drayage truck industry association in suit for constitutional violations of the Supremacy Clause against Ports of Los Angeles and Long Beach; and
- *Determination of Royalty Rates and Terms for Ephemeral Recording and Digital Performance of Sound Recordings* (Web IV & V), representing College Broadcasters, Inc. before the Copyright Royalty Board in ratemaking proceedings for webcasting rights.

Mr. Golden is an active member of the American Bar Association's Sections of Antitrust Law and Science and Technology Law. He is co-Vice Chair of the Technical Standardization Committee and a member of the ABA's Big Data Task Force.

Mr. Golden frequently writes about issues concerning competition law and technology. He has contributed to the ABA's Handbook on Antitrust in Technology Industries and the ABA's Antitrust Law Developments treatise. He regularly publishes articles on antitrust, intellectual property, and technology issues in CompLaw360, Westlaw Journal Computer and Internet, ABA Antitrust Counselor, and other publications.

Prior to joining Constantine Cannon, Mr. Golden worked in the software industry. He graduated from The George Washington University Law School. During law school, Mr. Golden externed for the Hon. David Folsom in the Eastern District of Texas. He received his undergraduate degree from the University of Arkansas.

Mr. Golden is admitted to practice law in the District of Columbia and Maryland, the United States District Court for the District of Columbia, and the United States Courts of Appeal for the D.C. Circuit and the Fourth Circuit.